

UNITED STATES DISTRICT COURT
MIDDLE DIVISION OF ALABAMA
~~NORTHERN DIVISION~~
RECEIVED

Gene Martin Auto Sales, Inc.,

Plaintiff,

vs.

Kevin Davis, Jonathan Benson,
Kenneth Harmon, Lt. Lockhart,
Jason Ously, Michael Poe,
and John Shannon

Defendants.

2007 OCT 19 A 11:50

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MIDDLE DIVISION

Case Number: 2:07 cv 937 -MSF

APPLICATION FOR TEMPORARY RESTRAINING ORDER

Plaintiff, Gene Martin Auto Sales, Inc., moves the court for a Temporary Restraining Order forbidding the defendants from further interfering with the operation of the plaintiff's business, and requiring the defendants to return to the plaintiff possession of its real estate, all of its checkbooks, records, and other personal property.



Charles Cleveland, Attorney for
Gene Martin Auto Sales, Inc.

Cleveland & Cleveland, P.C.
2330 Highland Avenue South
Birmingham, Alabama 35205
(205) 322-1811
(205) 322-1848 (fax)

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing pleading by U. S. Mail __; Facsimile X; Hand Delivery ____; on this the 19th day of October, 2007, upon the following:

Chilton County Sheriff's Department
500 Second Avenue North
Clanton, Alabama 35045



Charles Cleveland

**UNITED STATES DISTRICT COURT
MIDDLE DIVISION OF ALABAMA
NORTHERN DIVISION**

Gene Martin Auto Sales, Inc.,)
)
Plaintiff,)

vs.)

Case Number: 2:07cv937-MEF

)
Kevin Davis, Jonathan Benson,)
Kenneth Harmon, Lt. Lockhart,)
Jason Ously, Michael Poe,)
and John Shannon)
)
Defendants.)

**ORDER SCHEDULING A HEARING ON
APPLICATION FOR A TEMPORARY RESTRAINING ORDER**

Before the undersigned appeared Gene Martin Auto Sales, Inc., through his attorney, Charles Cleveland, to make an application for a TRO forbidding the defendants from further interfering with the operation of the plaintiff's business, and requiring the defendants to return to the plaintiff possession of its real estate, all of its checkbooks, records, and other personal property.

Plaintiff has notified defendants and defendants have a representative present at the time of the filing of the application for a TRO to argue and submit evidence. Because notice has been given and a hearing may be had, a Rule 65(b) TRO without notice is not necessary. The application for a TRO is set for a hearing on the _____ day of _____, 2007 before the undersigned.

UNITED STATES DISTRICT JUDGE